



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**

Public Notice Number: 2005-01071-Y3

Issue Date: 7 March 2006

Expiration Date: 6 April 2006

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

**APPLICANT:** Governors Island Preservation and Education Corporation  
10 South Street  
Battery Maritime Building, Slip 7  
New York, NY 10004

**ACTIVITY:** Temporary seasonal ferry landing

**WATERWAY:** Buttermilk Channel, Upper New York Harbor, New York Harbor

**LOCATION:** Yankee Pier, Governors Island, Borough of Manhattan, New York County, NY

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with

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particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Oceanic Atmospheric Administration's Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The, the District Engineer has made a preliminary determination that the site-specific adverse effect would not be substantial. Further consultation with the National Oceanic Atmospheric Administration Fisheries Service regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

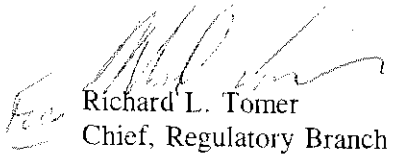
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York City Office of General Services

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8513 and ask for Denise Butts.

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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer  
Chief, Regulatory Branch

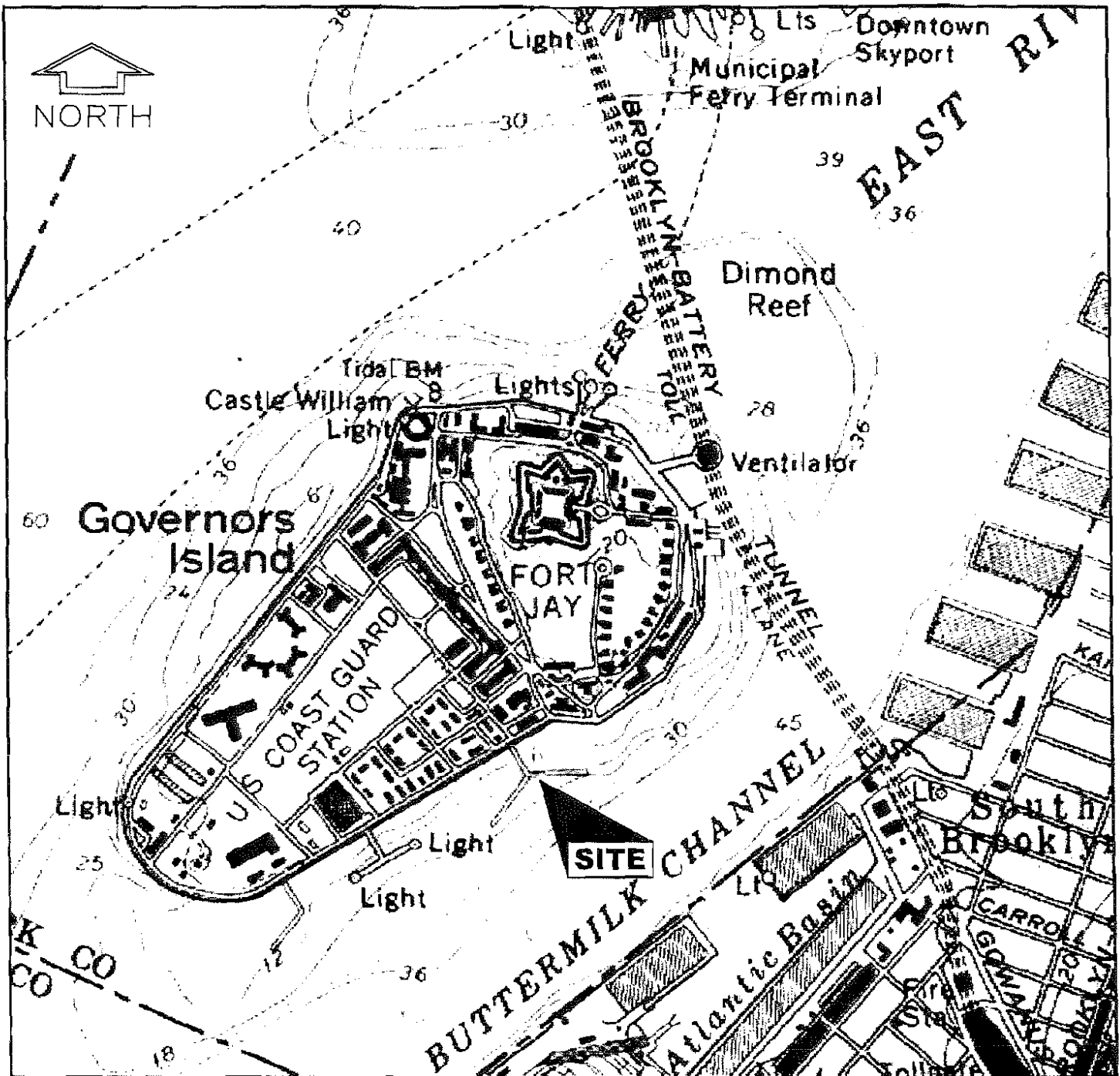
Enclosures

**WORK DESCRIPTION**

The applicant, Governors Island Preservation and Education Corporation, has requested Department of the Army authorization for the installation of a temporary seasonal ferry landing consisting of a 30-foot wide by 90-foot long steel barge with steel spud mooring piles and a single 8-foot wide by 20-foot long aluminum gangway would be installed for access to the barge. Steel barricades would line the pier to provide safe pedestrian access. The site is in Buttermilk Channel, Upper New York Harbor located at Yankee Pier at Governors Island, Manhattan, New York County, New York.

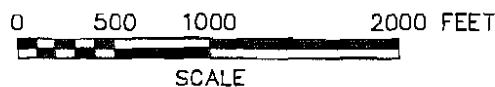
The stated purpose of this project is to provide seasonal access for private ferry service during the summer months.

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TAKEN FROM DeLORME  
3-D TOPOQUADS

### VICINITY MAP



FOR PERMIT USE ONLY  
NOT FOR CONSTRUCTION

PURPOSE: TO CONSTRUCT AND INSTALL A TEMPORARY  
FERRY LANDING FOR ACCESS TO GOVERNORS ISLAND

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:  
THE ISLAND IS OWNED ENTIRELY BY THE  
STATE AND CITY OF NEW YORK

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

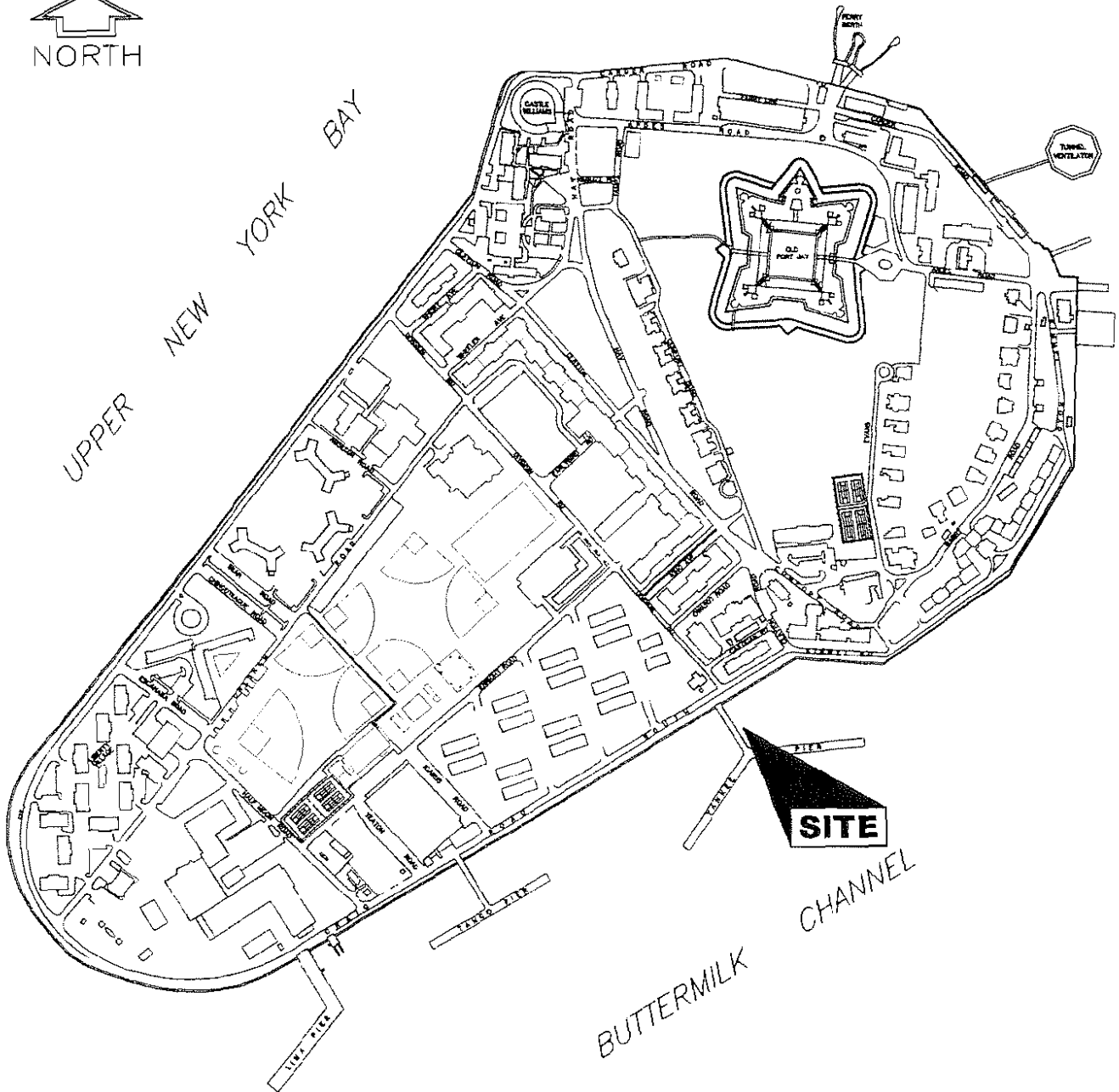
PROPOSED TEMPORARY FERRY LANDING  
AT GOVERNORS ISLAND, IN BUTTERMILK CHANNEL  
CITY OF NEW YORK  
BOROUGH OF MANHATTAN  
STATE OF NEW YORK

APPLICATION BY: GOVERNORS ISLAND PRESERVATION  
AND EDUCATION CORPORATION

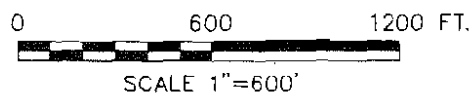
DATE: 3/23/05

SHEET 1 OF 7

2005-01071-43



# EXISTING SITE PLAN



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PURPOSE: TO CONSTRUCT AND INSTALL A TEMPORARY  
FERRY LANDING FOR ACCESS TO GOVERNORS ISLAND

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:  
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

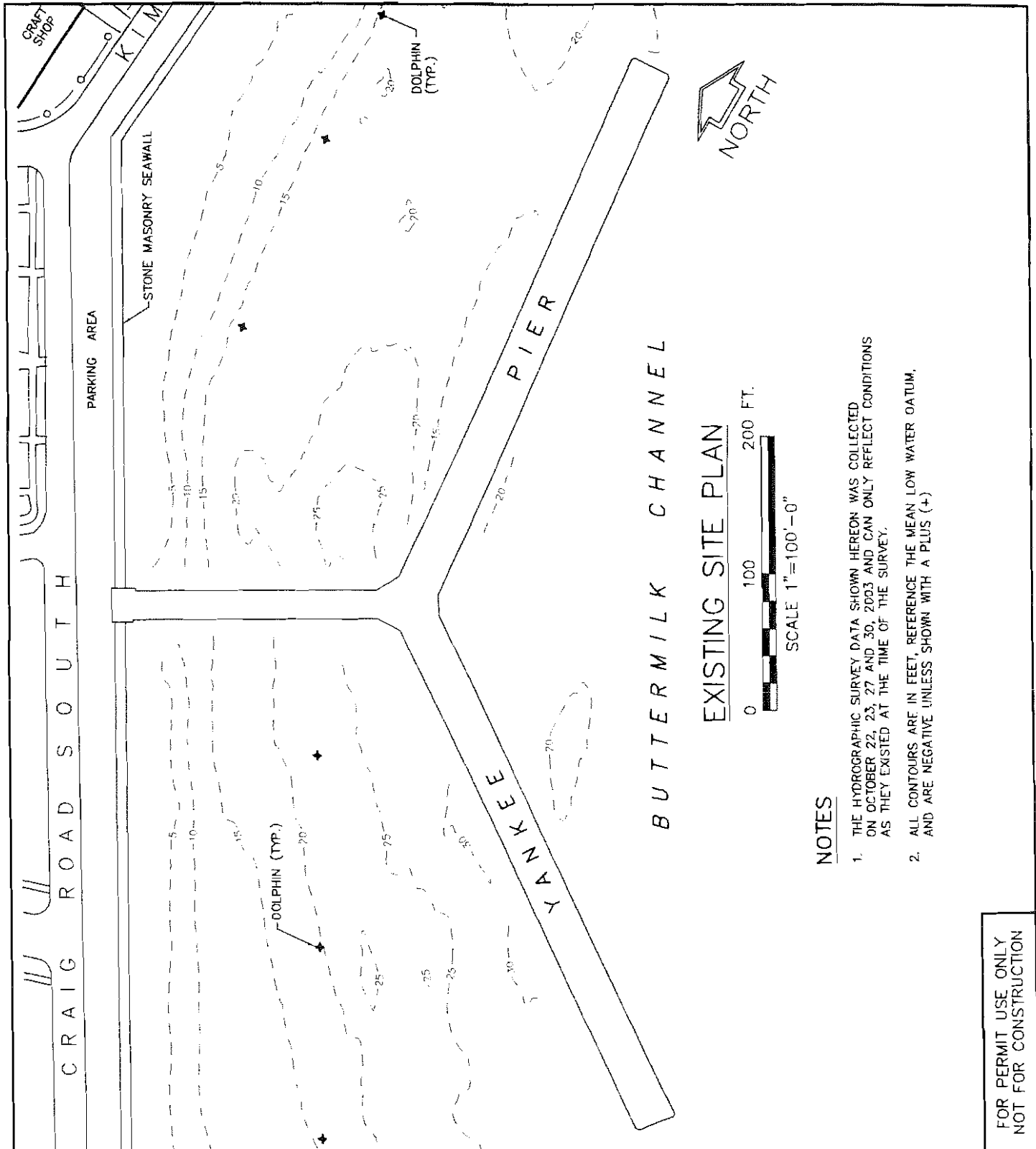
PROPOSED TEMPORARY FERRY LANDING  
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CITY OF NEW YORK  
BOROUGH OF MANHATTAN  
STATE OF NEW YORK

APPLICATION BY: GOVERNORS ISLAND PRESERVATION  
AND EDUCATION CORPORATION

DATE: 3/23/05

SHEET 2 OF 7

2005-01071-73



**NOTES**

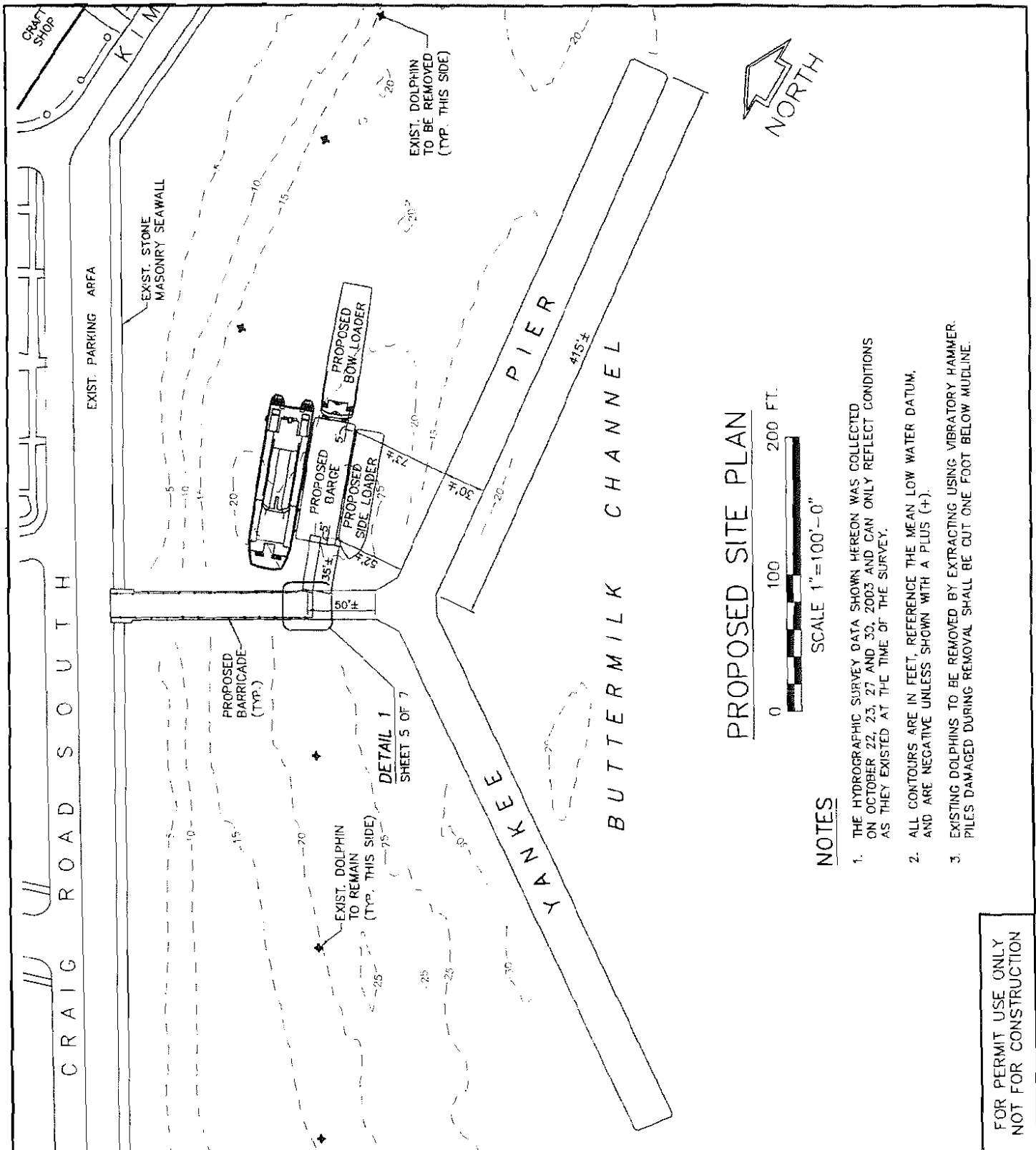
1. THE HYDROGRAPHIC SURVEY DATA SHOWN HEREON WAS COLLECTED ON OCTOBER 22, 23, 27 AND 30, 2003 AND CAN ONLY REFLECT CONDITIONS AS THEY EXISTED AT THE TIME OF THE SURVEY.
2. ALL CONTOURS ARE IN FEET, REFERENCE THE MEAN LOW WATER DATUM, AND ARE NEGATIVE UNLESS SHOWN WITH A PLUS (+)

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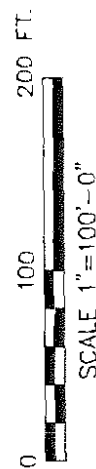
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 DATUM: M.L.W.  
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PROPOSED TEMPORARY FERRY LANDING  
 AT GOVERNORS ISLAND, IN BUTTERMILK CHANNEL  
 CITY OF NEW YORK  
 BOROUGH OF MANHATTAN  
 STATE OF NEW YORK  
 APPLICATION BY: GOVERNORS ISLAND PRESERVATION AND EDUCATION CORPORATION  
 DATE: 3/23/05

2005-01070-43



# PROPOSED SITE PLAN



## NOTES

1. THE HYDROGRAPHIC SURVEY DATA SHOWN HEREON WAS COLLECTED ON OCTOBER 22, 23, 27 AND 30, 2003 AND CAN ONLY REFLECT CONDITIONS AS THEY EXISTED AT THE TIME OF THE SURVEY.
2. ALL CONTOURS ARE IN FEET, REFERENCE THE MEAN LOW WATER DATUM, AND ARE NEGATIVE UNLESS SHOWN WITH A PLUS (+).
3. EXISTING DOLPHINS TO BE REMOVED BY EXTRACTING USING VIBRATORY HAMMER. PILES DAMAGED DURING REMOVAL SHALL BE CUT ONE FOOT BELOW MUDLINE.

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PURPOSE: TO CONSTRUCT AND INSTALL A TEMPORARY FERRY LANDING FOR ACCESS TO GOVERNORS ISLAND

DATUM: M.L.W.

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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED TEMPORARY FERRY LANDING  
AT GOVERNORS ISLAND, IN BUTTERMILK CHANNEL  
CITY OF NEW YORK  
BOROUGH OF MANHATTAN  
STATE OF NEW YORK

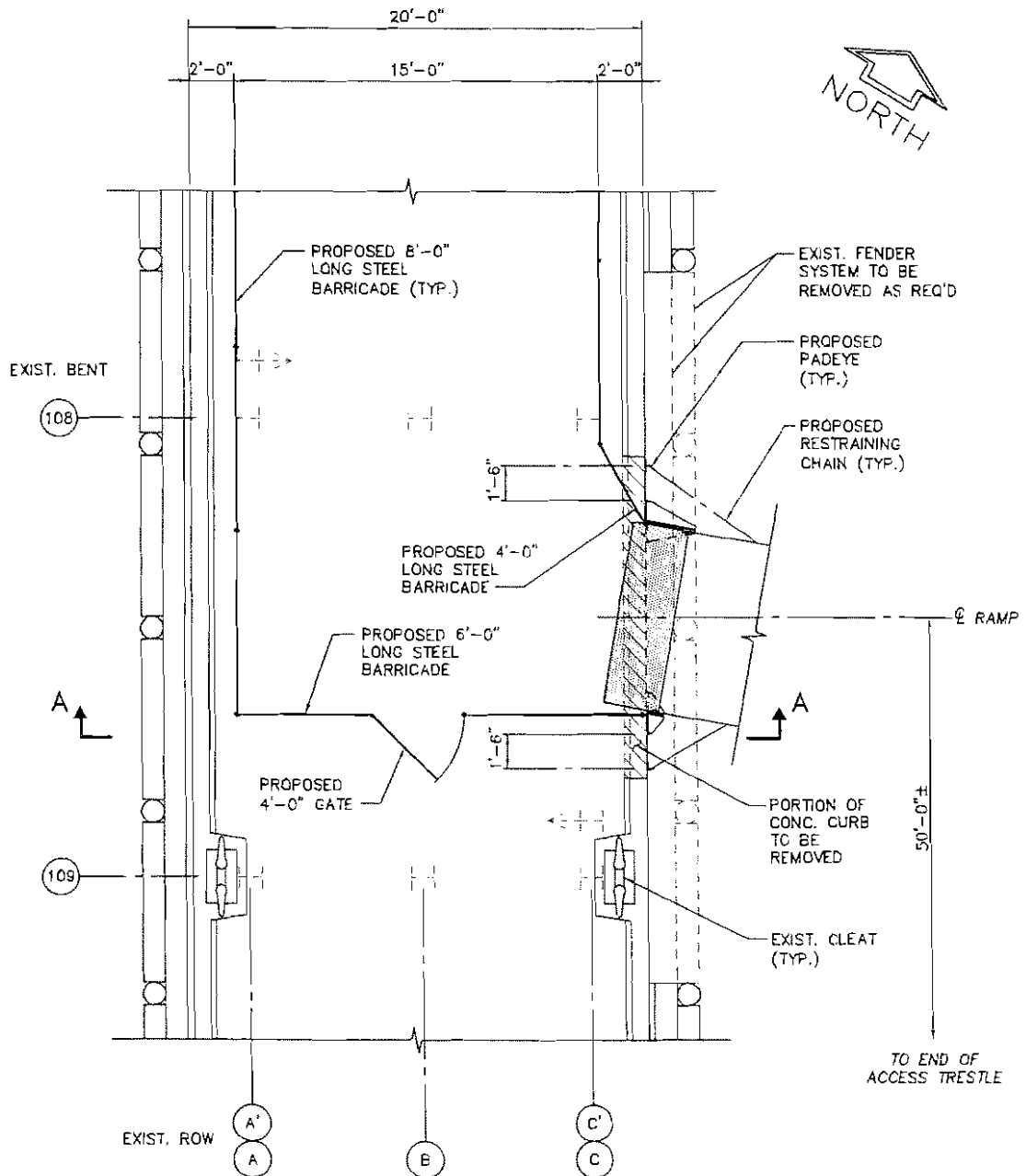
APPLICATION BY: GOVERNORS ISLAND PRESERVATION  
AND EDUCATION CORPORATION

DATE: 3/23/05

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DETAIL 1



SCALE  $\frac{1}{8}$ "=1'-0"

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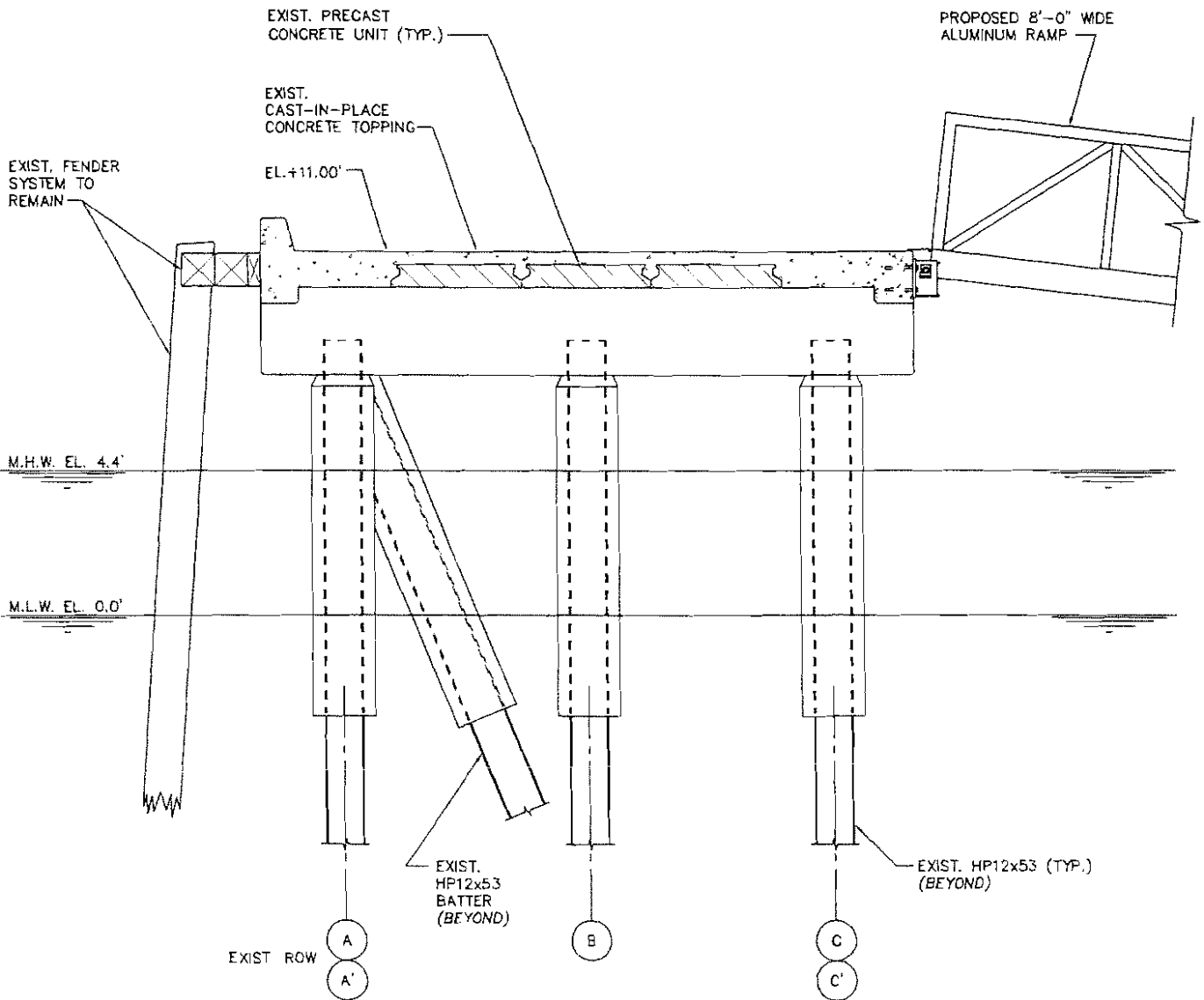
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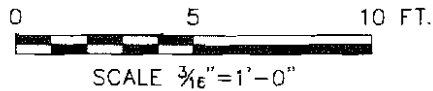
SHEET 5 OF 7

2005-01071-Y3



NOTE:  
BARRICADE/RAILING NOT SHOWN FOR CLARITY.

### SECTION A-A



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APPLICATION BY: GOVERNORS ISLAND PRESERVATION  
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DATE: 3/23/05

SHEET 6 OF 7

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